



TRANSMITTAL FORM

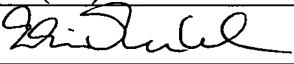
(to be used for all correspondence after initial filing)

		Application Number	09/770,693
		Filing Date	January 26, 2001
		First Named Inventor	Steven V. Beer
		Group Art Unit	1638
		Examiner Name	Anne R. Kubelik
Total Number of Pages in This Submission	3	Attorney Docket Number	19603/2501 (CRF D-2375-02)

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Issue Fee Part B - Fees Transmittal Form <input checked="" type="checkbox"/> Fee Attached (\$1000.00) <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input checked="" type="checkbox"/> Communication <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		<input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Edwin V. Merkel, Esq. Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600	
Signature		
Date	March 9, 2006	
Registration No. 40,087		

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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March 9, 2006


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Janice Bowers
Typed or printed name



PATENT
Docket No.: 19603/2501 (CRF D-2375-02)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Beer et al.)	Examiner:
Serial No.	:	09/770,693)	Ann R. Kubelik
Cnfrm. No.	:	6816)	Art Unit:
Filed	:	January 26, 2001)	1638
For	:	OOMYCETE-RESISTANT TRANSGENIC PLANTS BY VIRTUE OF PATHOGEN- INDUCED EXPRESSION OF A HETEROLOGOUS HYPERSENSITIVE RESPONSE ELICITOR)	

COMMUNICATION

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In a March 9, 2006, phone conference between Examiner Kubelik and the undersigned attorney, the undersigned attorney informed Examiner Kubelik that the Notice of Allowance errantly omitted claim 71 from the list of allowed claims. Examiner Kubelik agreed, and indicated that an interview summary and a Revised Notice of Allowance would be generated and mailed.

Respectfully submitted,


Edwin V. Merkel

Registration No. 40,087

Dated: March 9, 2006

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Janice Bowers